ARDHI YA TAIFA

Kenya National Land Policy and Governance Vision

Kenya National Development Programme

Ardhi ni Haki. Ardhi ni Utu. Ardhi ni Mustakabali.

Land is Justice. Land is Dignity. Land is Future.

This document is Ardhi ya Taifa — the Kenya National Land Policy and Governance Vision. Land is the foundation of every other programme document. Every railway corridor, every school, every borehole, every cooperative facility, every irrigation scheme requires resolved, registered, and accessible land tenure before the first concrete is poured.

The central argument of this document is stated plainly: corruption in Kenya's land system is primarily financial in origin, not moral. The transaction costs surrounding a routine land registration routinely reach 20–30% of the land's value. When the official system is financially inaccessible, the unofficial system becomes rational. The landowner who cannot afford the legal process pays the Registry Officer instead. The smallholder who cannot afford a conveyancer signs whatever document the broker presents. The corrupt transaction is cheaper and faster than the honest one. The reform that makes the honest transaction cheap, fast, and publicly visible destroys the financial architecture of land corruption more effectively than any enforcement programme.

This vision designs Kenya's land administration system against the world's three best benchmarks: Denmark's Tingbogen (fully digital, publicly accessible, updated daily, zero paper), the Netherlands' Kadaster (open data, millions of transactions per day, FAIR data principles, records publicly available since 1832), and New Zealand's Landonline (instant title search, automated owner notification on every access, electronic registration within hours). Kenya's target: a land transaction that costs less than Ksh 2,000 in official fees, completes in one working day, and is visible to every Kenyan on any device within 30 seconds.

SECTION ONE

The Diagnosis — Financial Predation as the Root of Corruption

1.1 The Cost of a Routine Land Transaction Today

To transfer a registered urban plot worth Ksh 3 million in Nairobi, a Kenyan navigates the following:

Item	Official Rate	Reality
Stamp Duty	4% of value = Ksh 120,000	Requires KRA valuation assessment: 2–6 weeks, additional fee.
Legal fees — both parties	~2.5% combined = Ksh 75,000	Minimum. Complex transactions: Ksh 150,000+.
Land Registry search fees	Ksh 500 official	Unofficial facilitation: Ksh 2,000–15,000 for results within days.
Valuation fees	0.5% = Ksh 15,000	Required for stamp duty, mortgage, and often again by registry.
Land Rates clearance	Ksh 500 official	Unofficial: Ksh 2,000–10,000 and 2–8 weeks.
Consent to transfer (leasehold)	Ksh 1,000 official	Unofficial: Ksh 5,000–50,000. NLC processing: 3–12 months.
Registration fees	Ksh 5,000 official	Unofficial: Ksh 10,000–50,000 to avoid the 60–90-day queue.
TOTAL OFFICIAL COST	Ksh 216,500 (7.2% of value)	
TOTAL ACTUAL MEDIAN COST	Ksh 270,000–400,000 (9–13% of value)	Plus: 3–6 months of time for a transaction that should take 1 day.

For a smallholder farmer titling a 0.5-acre plot worth Ksh 400,000 in a rural county, these proportional costs are existentially prohibitive. The official system excludes the people it is supposed to serve. The unofficial system charges a fraction, completes in a week, and produces a document that may or may not be valid. This is a system design failure. The programme corrects the system.

The Three Financial Predation Instruments — and Their Abolition

STAMP DUTY (abolished Year 2): 4% on urban land, 2% on agricultural land, set in 1972 and never reformed. Payable on the transaction value — a family buying their first home pays 4% of its total cost before they own anything. Replaced by the Land Value Tax, which taxes holding undeveloped land, not the act of buying or selling.

The tax burden moves from the transacting family to the non-transacting speculator.

THE CONSENT REGIME (abolished for residential transactions): Any transfer of leasehold urban land requires discretionary government consent — an officer with unconstrained power to delay, demand, or deny. No published service standards. No appeal with teeth. No accountability. Abolished for all residential transactions below 5 hectares from Year 1. Consent retained only for commercial transactions where planning oversight is genuinely needed.

THE HIDDEN REGISTRY (replaced by open public access): A registry that only Registry Officers can access is a registry whose contents are for sale. ArdhiSasa ya Taifa makes every title record publicly searchable by any Kenyan in 30 seconds at zero cost. When information is free and public, its suppression has no market value. The Registry Officer who previously sold information access now has nothing to sell.

1.2 The Three Layers of the Land Problem

Layer	Who It Affects and What the Instrument Is
Layer One — Historical Injustice	Colonial alienation of approximately 3.4 million hectares, post-independence political land allocation, SGR displacement without full compensation, and 140,000 households from 2007/08 post-election violence still unresolved. Named victims, specific parcels, defined remedies. Addressed by the Historical Injustices Land Programme (Section 8).
Layer Two — Structural Exclusion	Women hold approximately 1% of registered land. Twelve million Kenyans on community land (ASAL pastoralists) have no formal recognition. Fewer than 50 community land parcels registered in eight years under the Community Land Act. Addressed by the dual-title statute amendment, the Community Land Registration Programme (Section 6), and the customary-formal interface doctrine (Section 7).
Layer Three — Current Financial Predation	Stamp duty, consent regime, hidden registry, transaction costs that reach 13% of value, registration queues of 60–90 days, and a 2013-era land rates system that rewards land banking. Addressed by the three legislative abolitions above and the full ICT architecture (Section 5).

SECTION TWO

The Legal Framework — Five Laws, One Unified System

2.1 The Constitutional Tenure Spectrum

Tenure	Constitutional Basis	Programme Governance
Public Land	Article 62 — managed by NLC on behalf of national and county governments. Includes all land with no registered owner, forests, water bodies, roads, government institutions.	The national land audit (Section 4) establishes exactly what public land Kenya holds. The Urban Land Bank in Nyumba ya Taifa is a public land management instrument. Every KRC corridor is registered public land within 30 days of PILG clearance.
Community Land	Article 63 — lawfully held by a specific community, including ancestral and pastoralist lands. Registered under the Community Land Act in the Community Land Registry.	Twelve million Kenyans depend on community land. The programme to accelerate registration (Section 6) removes the operational bottleneck. County governments that abuse the trustee role face criminal liability under the amended Community Land Act.
Private Land	Article 64 — individual freehold or leasehold. Subject to Article 40 property rights and the public interest provisions of Article 61.	The dual-title statute default, the LVT, and ArdhiSasa's public access all apply to private land. The Guaranteed Title Scheme (ArdhiSasa, Section 5) means the state financially stands behind every registered title.

2.2 The Five Land Laws — Programme Amendments

Law	What the Programme Amends and Why
Land Act 2012	AMENDMENT: 90-day compulsory acquisition payment ceiling — compensation paid or deposited in NLC escrow within 90 days of NLC assessment. Interest at CBK rate accrues automatically after Day 90. No acquiring authority may obtain possession before payment or escrow deposit. The SGR delay — compensation running 3 years late — becomes legally impossible under this amendment.
Land Registration Act 2012	AMENDMENT 1 — DUAL-TITLE DEFAULT: Every new title instrument issued in the names of all adult household members. Single-name title requires a written declaration by all adult household members, available in all official languages, completed without coercion. AMENDMENT 2 — GUARANTEED TITLE SCHEME: The state compensates (from the Title Guarantee Fund, Ksh 2B initial capitalisation) any registered owner who loses land to a fraudulent title that

Law	What the Programme Amends and Why
	ArdhiSasa failed to detect. Registration is conclusive because the state stands behind it financially — the New Zealand model.
NLC Act 2012	AMENDMENT: Budget raised to 0.05% of national budget as a protected appropriation. NLC Chair appointment requires two-thirds National Assembly confirmation. NLC granted direct enforcement standing before the Environment and Land Court without ministerial referral. These three amendments give the NLC what it has always lacked: money, independence, and enforcement teeth.
Community Land Act 2016	AMENDMENT: County government officers who alienate, lease, or encumber community land held in trust without free, prior, and informed community consent face criminal liability — imprisonment up to 10 years plus personal liability for market-value restitution. The community assembly ratification threshold (60% attendance, 75% approval) is prescribed in statute, not left to the county. This closes the primary mechanism of community land dispossession.
Physical and Land Use Planning Act 2019	AMENDMENT: County Spatial Plans are mandatory within 18 months of programme commencement. Counties without a published, operationalised Spatial Plan lose access to Urban Land Bank parcel releases and KSBC construction programme prioritisation. The planning framework must precede the building programme.

SECTION THREE

The National Land Commission Reform

3.1 The Reform Doctrine

Independence, Resources, Enforcement — All Three, Not One or Two

INDEPENDENCE: The NLC Chair is appointed by the President subject to two-thirds National Assembly confirmation, serves a single non-renewable 6-year term, and cannot be removed except by two-thirds NA resolution or criminal conviction. Commissioners are appointed by a Selection Panel (Chief Justice, PSC Chair, Auditor-General) and confirmed by the NA Land Committee on staggered 6-year terms. No single administration can replace the full NLC.

RESOURCES: 0.05% of the national budget as a protected appropriation — approximately Ksh 2 billion at current budget levels, growing to Ksh 10 billion by Year 10. Six times the current allocation. This is not generosity — it is the minimum required to complete the national land audit, run the historical injustices programme, staff 47 county offices properly, and maintain ArdhiSasa at national scale.

ENFORCEMENT: The NLC applies directly to the Environment and Land Court (no ministerial referral, no AG permission) for: removal of fraudulent titles from ArdhiSasa pending investigation; enforcement against county governments alienating community trust land; enforcement of the 90-day acquisition payment ceiling; and compliance orders against public bodies obstructing the land audit. A commission with no enforcement power is an advisory body. An advisory body cannot govern land.

3.2 The PILG Desk — Programme Infrastructure Land Gateway

Every programme document that requires land — KRC corridors, KRCC roads, KSBC schools and health centres, KWCMC boreholes, KLIC irrigation schemes, NCPB silo sites, Settlement Maintenance Corps ward bases — must clear the NLC's Programme Infrastructure Land Gateway before any contractor mobilises. The PILG desk is not a bottleneck — it is a guarantee that no programme investment lands on disputed land.

Programme	PILG Standard and Timeline
KRC corridors (4,572km across 9 Corridor Battalions)	Community Rail Trust model: employment before acquisition, Community Rail Agreement before land accessed, Community Rail Stake constituted before first sleeper laid. PILG clearance: 90 days per corridor section. ArdhiSasa: corridor land registered as KRC public land within 30 days of PILG clearance.
KSBC and KRCC — schools, health centres,	Public land: NLC transfer instrument within 14 days of PILG application. Private land: compulsory acquisition (90-day

Programme	PILG Standard and Timeline
roads, HPCs	payment ceiling) or willing-seller at market value. Community land: CLRT deployment. No KSBC crew mobilises without PILG confirmation. ArdhiSasa: every KSBC-built facility registered as public land within 30 days of commissioning.
KWCMC — boreholes, sand dams, water points	Public land: 14-day PILG clearance (fastest track — public health urgency). Community land: Seasonal Use Protocol includes water point access provisions embedded in the community land registration instrument. The water programme cannot proceed faster than PILG can clear — the 14-day standard ensures it is never the bottleneck.
KLIC — irrigation schemes and land reclamation	KLIC Irrigation Land Compact: community members become scheme plot holders with ADBK-eligible leaseholds, not dispossessed landowners. PILG clearance: 120 days (most complex — many households affected). Affected community members receive: development premium payment, plot leasehold registered on ArdhiSasa, water user cooperative membership.

SECTION FOUR

The Full National Land Audit

4.1 Scope, Technology, and Timeline

Nyumba ya Taifa established the Urban Land Audit — all public bodies submit urban land inventories to the NLC within 12 months, classified Class A (available), B (partially available), or C (retained), and published as the Urban Land Register within 18 months. This section extends the audit to every category of land in Kenya. The NLC's Land Audit Department (200 professional surveyors, GIS specialists, and land economists) is the delivery institution.

Audit Stage	Technology Used	Output Timeline
Stage 1 — Desktop identification (Months 1–6 per county cluster)	ArdhiSasa query of all registered parcels by government registrant. Sentinel-2 satellite imagery (ESA open access, 30-day composite) overlaid for current land use. Cross-reference: does registered public land match satellite-identified use? Mismatches and unregistered land zones flagged for field verification.	Preliminary national public land register: all registered public parcels, satellite-identified use, mismatch flag list.
Stage 2 — Field verification (Months 4–18 per county cluster)	NLC Land Audit Officers deployed to every flagged parcel. Drone mapping kits (5cm resolution, 100 hectares per flight). Community consultation sessions recorded and uploaded to KLIMS in real time. GPS boundary data synced to ArdhiSasa via 4G or satellite uplink at end of each working day.	Verified parcel records: physical extent confirmed, GPS boundary on ArdhiSasa, ownership status determined, community testimonies archived in KLIMS.
Stage 3 — Classification and action (Months 12–24 per county cluster)	NLC Land Audit Department classifies every verified parcel: A (available for programme use), B (partially available), C (retained), D (disputed — refer to Historical Injustices Department). Community land parcels referred to Community Land Registration Programme. All classifications published on KLIMS within 6 months of field completion.	Complete national land audit — every public and community land parcel classified, documented, programme disposition assigned, and publicly visible on KLIMS.

Audit Phase	Scope and Target Completion
Phase 1 — All 47 county headquarters urban land (Nyumba urban audit)	All national government and parastatal land in all 47 county headquarters. Complete by Month 18 of programme commencement. Output: Urban Land Register published,

Audit Phase	Scope and Target Completion
	Urban Land Bank seeded.
Phase 2 — National government and parastatal rural land	All 133 NCPB silo sites, KRC corridor land, all national university land, KWS/KFS conservation boundaries, KDF garrison perimeters, Kenya Prisons land, KPA/KAA operational and surplus land. Complete by end of Year 3.
Phase 3 — Agricultural adjudication zones	All counties where Ward Cooperative Facilities are being established (the Shamba la Taifa 'title first' doctrine): adjudication precedes cooperative facility construction. Approximately 900 agricultural wards. Phased completion over Years 2–7.
Phase 4 — Community land in ASAL and forest-edge zones	All community land in ASAL counties, all forest-adjacent community land, all KWS/community conservancy boundary land. Complete over Years 3–8, concurrent with Community Land Registration Programme.
Phase 5 — Complete national coverage	All remaining rural land. Full national audit — every parcel in Kenya classified, documented, and on KLIMS — by Year 10.

SECTION FIVE

ICT Integration — ArdhiSasa ya Taifa at National Scale

5.1 The Global Benchmark — Three Systems, Six Principles

Three land administration systems define the global standard Kenya targets. Denmark's Tingbogen is fully computerised, updated daily, publicly accessible, and electronically linked to the municipal tax system, the cadastral map, and the building register in a single query — registration takes one day on average. The Netherlands' Kadaster handles millions of transactions per day, makes all land data openly available under FAIR principles (Findable, Accessible, Interoperable, Reusable) through its PDOK geospatial platform, and has maintained digital records since 1985 with historical archives to 1832. New Zealand's Landonline provides instant title search, same-day electronic registration, and — the most important anti-fraud feature in any land system globally — an automated owner notification sent within minutes whenever any party accesses or lodges anything against a registered title. All three systems took a phased approach: paper to digital first, electronic processing second, full public access and API integration third. Kenya is between Phase 1 and Phase 2. The programme completes all three phases in 8 years.

Six Design Principles for ArdhiSasa ya Taifa

PRINCIPLE ONE — FREE AND INSTANT PUBLIC ACCESS: Every registered title record is publicly searchable at zero cost. Owner name, registered rights, encumbrances, GPS boundary, and complete transaction history are available to any Kenyan on any device within 30 seconds. No login required for basic search. The Kadaster principle: land data is a public good, not a government product for sale.

PRINCIPLE TWO — OWNER NOTIFICATION ON EVERY ACCESS: The New Zealand Landonline model — every time a title is accessed, modified, or any instrument is lodged, the registered owner(s) receive an SMS and USSD notification within 15 minutes. A fraudulent transaction cannot proceed silently. The owner knows before the registration is complete.

PRINCIPLE THREE — DAILY UPDATES: The Danish Tingbogen updates daily. ArdhiSasa ya Taifa updates in real time — every transaction enters the register within 1 hour of completion. The 60–90 day registration window that enables parallel fraudulent transactions is eliminated.

PRINCIPLE FOUR — FAIR DATA: The Dutch Kadaster principle — all land data is Findable, Accessible, Interoperable, and Reusable. Open APIs in OGC standard formats allow any developer, researcher, or government system to query ArdhiSasa programmatically. NHB mortgage approval, ADBK cooperative lending, KILP acquisition tracking, KRA stamp-duty abolition reconciliation, county planning permits — all connected by API. Every integration removes a manual step. Every manual step removed is a corruption opportunity eliminated.

PRINCIPLE FIVE — BLOCKCHAIN AUDIT TRAIL: Every transaction in ArdhiSasa is logged to an immutable blockchain audit trail — timestamped, officer-identified, non-deletable. A Registry Officer cannot retroactively alter an entry. The audit trail is publicly readable. Any citizen can verify that a specific transaction occurred at a

specific time approved by a specific named officer.

PRINCIPLE SIX — THE TITLE GUARANTEE FUND: Registration is conclusive because the state stands behind it financially. The Title Guarantee Fund (Ksh 2B initial capitalisation from Treasury) compensates any registered owner who loses land to a fraudulent title that ArdhiSasa failed to detect. The state assumes the fraud risk — removing it from the individual landowner who cannot self-insure against a system failure.

5.2 The ArdhiSasa ya Taifa Digitisation Programme

Phase	Scope, Timeline, and Anti-Corruption Impact
Phase 1 — Backlog digitisation (Years 1–3): 100% of registered parcels on ArdhiSasa	Every paper title deed in every county land registry — estimated 3.5–4 million undigitised records — is scanned, OCR-processed, geo-tagged to the cadastral map, and uploaded. A 500-person Land Record Digitisation Corps deployed across all 47 counties. Each county registry is closed to new manual operations in 15-working-day rotation while the team works through it (emergency searches handled by a dedicated NLC officer). ANTI-CORRUPTION IMPACT: The paper registry — accessible only with physical presence and unofficial payment — is replaced. The Registry Officer's only remaining function is to verify digital submissions. They have nothing left to sell.
Phase 2 — Electronic registration (Years 2–5): same-day digital registration	All new registrations, transfers, mortgages, charges, and easements processed electronically through ArdhiSasa from Year 2. No new paper registrations accepted after Year 2. Process: transaction initiated online by registered conveyancer; KRA integration automated (no human intermediary); NLC automated cross-check against fraud patterns; owner SMS notification within 15 minutes; registration complete and confirmation issued. Target: same-day for standard transfers, 3 working days maximum for complex transactions. ANTI-CORRUPTION IMPACT: The unofficial fee to 'jump the queue' disappears. There is no queue. The 60–90-day window that enabled parallel fraudulent transactions is closed.
Phase 3 — Full public access and API integration (Years 3–7): open data	Every ArdhiSasa parcel publicly searchable — owner, rights, GPS boundary, transaction history to first registered title. Free for basic search. Professional portal for bulk access (banks, lawyers, cooperatives, surveyors). API integration: NHB mortgage system, ADBK cooperative lending, KILP acquisition tracking, county planning permits. FAIR data standard adopted — all land datasets downloadable in OGC formats. Historical data to 2012 published (the paper archive digitised in Phase 1). ANTI-CORRUPTION IMPACT: Information asymmetry — the primary source of land broker and facilitator revenue — is eliminated. A buyer can verify a title in 30 seconds. A bank can verify via API without a human intermediary.

Phase	Scope, Timeline, and Anti-Corruption Impact
Phase 4 — Anti-fraud architecture (Years 3–7): automated detection	Duplicate-title cross-check on every incoming transaction (same GPS coordinates, same parcel number, different owner — flagged and NLC-notified within 1 hour). Unusual access detection (title accessed by 5+ different users within 24 hours — NLC security alert). Beneficial ownership register: every corporate entity holding land in Kenya registers its beneficial owners in ArdhiSasa — KIACC has API access for investigation. Blockchain audit trail: publicly readable, immutable, officer-identified. ANTI-CORRUPTION IMPACT: The architecture of fraud depends on delay, opacity, and the absence of cross-referencing. Phase 4 eliminates all three simultaneously.

5.3 ICT Infrastructure Requirements

Infrastructure Element	Specification
Connectivity — 47 NLC county offices	Fibre to all 47 NLC county offices (from Teknolojia ya Taifa). Minimum 100Mbps dedicated fibre, 72-hour battery backup, satellite failover. County office kiosk: public ArdhiSasa terminal — touch screen, Swahili and English, USSD fallback (*547#) for any mobile phone including 2G.
LAO field teams	4G tablets with ArdhiSasa offline sync. Drone mapping kit (5cm resolution, 100ha per flight). GPS data synced in real time or queued for upload — no data lost. ArdhiSasa offline mode: LAO works without connectivity, syncs on reconnection.
Wingu la Taifa hosting — highest security classification	ArdhiSasa hosted on Wingu la Taifa across three geographically separated data centres (Nairobi, Mombasa, Kisumu) with real-time replication. Blockchain audit trail replicated to a fourth site (Eldoret). No foreign server. No foreign cloud. The title of every Kenyan's land is on Kenyan servers under Kenyan law — the data sovereignty principle from Teknolojia ya Taifa applied to the nation's most sensitive civil record.
Multiple access channels	Web: ardhi.go.ke — full portal, desktop and mobile. USSD: *547# on any mobile phone. eCitizen: ArdhiSasa integrated — same login as health records, business registration, and all other government services. NLC county kiosks. Community Justice Hall terminals: land information and justice access co-located.

SECTION SIX

The Community Land Registration Programme

6.1 Eight Years, Fewer than 50 Communities

The Community Land Act came into force in 2016. Eight years later, fewer than 50 community land parcels have been formally registered nationally against an estimated 12 million Kenyans living on community land. The bottleneck is entirely operational: registration requires technical support that communities cannot afford and the NLC has been too understaffed to provide. The programme resolves this by making NLC support free, making registration a prerequisite for programme benefits, and embedding criminal liability for county government abuse of the trustee role.

Protocol Element	Design
Programme linkage — the demand-pull	Community land registration is a prerequisite for: (1) ADBK collective lending through the pastoralist cooperative window; (2) National Carbon Registry carbon revenue from community land conservation (Mazingira ya Taifa); (3) full Community Rail Trust standing for KRC corridor acquisitions. These linkages create demand that the previous administrative process lacked.
NLC Community Land Registration Team — free of charge	CLRT deployed to every applying community: 1 community development officer, 1 land surveyor, 1 legal officer. Total NLC cost: approximately Ksh 800,000 per registration. The community pays zero — the NLC bears the full cost from its protected budget. The previous process cost communities Ksh 300,000–600,000 they did not have. Cost abolition is the single reform that will do more than any other to increase registration rates.
Anti-elite-capture provisions — mandatory in every instrument	Every registration instrument includes: minimum 40% women in the Community Land Management Committee (Jinsia ARC); community assembly ratification (60% attendance, 75% approval); alienation restriction (no sale, lease above 25 years, or encumbrance without a new assembly at the same threshold); and permanent individual access rights for every adult community member regardless of committee decisions. These provisions cannot be waived — they are conditions of registration enforceable by the NLC.
ASAL pastoralist Seasonal Use Protocol	Pastoralist community land is registered with a Seasonal Use Protocol embedded in the CLMC's constitution — specifying which clan groups have access in which season, dispute resolution between groups, and cross-boundary movement provisions. The Clan Health Warden network from Afya ya Taifa provides the ground-level seasonal movement data that the Protocol draws on.

Protocol Element	Design
County criminal liability — the enforcement instrument	A county government officer who alienates, leases, or encumbers community trust land without community assembly approval (60% attendance, 75% approval) commits a criminal offence: imprisonment up to 10 years, plus personal liability for restitution at current market value. The NLC has standing to bring the criminal complaint to the DPP. Land recovery as a civil remedy is available regardless of subsequent sale to a third party.

SECTION SEVEN

The Customary-Formal Interface Doctrine

7.1 When Registration Strengthens and When It Undermines

Context	Appropriate Model and Why
Smallholder agricultural land — Central, Western, Nyanza highlands	Individual freehold or leasehold with dual-title default. The primary risks are encroachment, inability to access credit, and displacement by infrastructure. Individual title with both spouses named is stronger than community title here — the household is the relevant unit.
ASAL pastoralist land — Turkana, Marsabit, Wajir, Mandera, Samburu	Community land registration with Seasonal Use Protocol. Individual title in a pastoral context creates artificial boundaries across seasonal grazing corridors; enables elite members to register individual title over the best dry-season land; and allows speculative sale to outside investors. Community title with seasonal use provisions prevents all three outcomes.
Forest-edge and conservation-adjacent communities	Community land registration with Forest Covenant — a binding agreement between the CLMC and KFS/KWS specifying the boundary and conservation obligations. Prevents encroachment in both directions.
Urban informal settlements	Graduated tenure: Occupation Recognition Certificate (ORC) first — a legally recognised right of occupation protecting against eviction, registered in ArdhiSasa. Full leasehold title after in-situ upgrading is complete and the settlement meets the Settlement Code. Prevents the cycle of title-then-sell-then-return-to-informal.
KLIC irrigation schemes	Plot-level leasehold under KLIC management, underlying land held by KLIC. Gives secure cultivation rights, ADBK lending eligibility, and heritable tenure — but not conversion to non-agricultural use or sale outside the scheme. Prevents scheme breakdown through fragmentation.

SECTION EIGHT

The Historical Injustices Land Programme

8.1 What Cannot Be Avoided — and What Is In Scope

Unresolved historical land injustices generate instability that no infrastructure investment survives. A railway through land communities believe was unjustly taken is a railway communities will obstruct. The programme addresses the categories of injustice where: the harm is documented, the remedy is definable, the affected households are bounded, and resolution directly enables programme objectives.

Category	Scale and Remedy
Post-election violence IDPs — 2007/08	Approximately 140,000 households (estimated 700,000 people) still without full resolution. These are named households. Their land claims are documented. Remedy: return of original land where possible; alternative land allocation of equivalent value where return is not possible; compensation at current market value plus 30% Development Premium where neither is possible. The most operationally straightforward category — claims documented, households traceable, remedies financially clear.
SGR-displaced communities	Coast (Mombasa–Mariakani), Machakos (Athi River), Nairobi (Syokimau, Embakasi). Many compensation assessments were below market value, paid late, or never paid. The NLC Historical Injustices Department reviews every SGR displacement case against the constitutional 'prompt, full, and just' standard and pays the difference. The KRC's Community Rail Framework means no future corridor displacement repeats this failure.
White Highlands — colonial-era farm alienation	The most politically complex category. The programme does not attempt to reverse every colonial-era land decision — that would be paralysing. It identifies the specific former 'scheduled areas' where: the land remains underdeveloped, the colonial beneficiaries or their successors cannot demonstrate productive use, and community land claims are documentable. These parcels are candidates for LVT-driven acquisition (vacant for 10+ years, LVT arrears) and transfer to the ULB or the community land programme.
Post-independence political land allocation	Public land allocated by political direction to individuals and companies. The national land audit (Section 4) will identify Class D parcels in this category. NLC Historical Injustices Department investigates each. Where the allocation was of land that was community or public land with no lawful basis, the NLC applies for recovery through the Environment and Land Court.

8.2 The National Land Injustices Commission

The NLC convenes a National Land Injustices Commission (NLIC) under Article 67(2)(e) of the Constitution. The NLIC is a time-limited investigative commission — not a permanent institution — with a 7-year mandate to investigate, adjudicate, and recommend remedies for historical land injustices in the four categories above. It has subpoena power, public hearing capability, and the power to recommend: land restitution; alternative land allocation; monetary compensation from the Land Injustice Reparations Fund (Ksh 15B initial capitalisation from Treasury over Years 1–5); or a public acknowledgement and formal apology where no physical remedy is available. All NLIC proceedings and determinations are public. All payments from the Reparations Fund are published on the NLIC public portal.

SECTION NINE

The Land Value Tax — Full Operational Design

9.1 Rate Structure — from Nyumba ya Taifa, Operationalised

The LVT rate structure, revenue ring-fencing (60% to Urban Land Bank, 40% to county infrastructure), and exemptions (owner-occupied primary residence below 0.1ha, community land, active construction, active agricultural cultivation) are established in Nyumba ya Taifa. This section provides the full operational design: the valuation institution, the mass appraisal methodology, the digital billing system, and the phased rollout.

> **The LVT Doctrine — Tax Holding, Not Transacting**
>
> The LVT is not a transaction tax. It is a holding cost. It applies to the value of the location — created by public investment in roads, railways, water, and services — not the productivity of the occupant. A landowner who builds nothing and holds land for appreciation pays as much as a landowner who develops fully. A speculator who has held prime urban land for 15 years pays every year they hold. The moment they sell, the LVT passes to the next holder — and if the next holder develops, the pressure ends. The LVT does not tax homeownership. It taxes land banking.

9.2 The Kenya Land Valuation Service — Mass Appraisal

Element	Design — Netherlands Kadaster + Denmark Valuation Agency Model
Institution	A division of the NLC — not a standalone parastatal. Government-employed registered valuers working on the national valuation roll. The Dutch Kadaster model: the valuation authority is part of the land registry authority, uses the same parcel identification system, and its valuations are published as open data linked to every parcel in ArdhiSasa. Every Kenyan can see what the KLVS assessed their land at — and their neighbour's, and the large undeveloped parcel 200 metres away.
Methodology — Computer Assisted Mass Appraisal (CAMA)	CAMA establishes land value zones using: comparable sales data (drawn from ArdhiSasa transaction records — every sale price is digitally recorded); infrastructure proximity (distance from CBD, KRC station, BRT corridor — automatically calculated from GIS layers); planning designation (zoning, permitted uses); topography and access. Each parcel's unimproved value = zone value adjusted for parcel-specific characteristics. The CAMA model is published — any landowner can see the exact inputs that produced their valuation. No black box.
Annual revaluation —	The KLVS updates the valuation roll annually. This is a data

Element	Design — Netherlands Kadaster + Denmark Valuation Agency Model
Danish daily-update standard	exercise — the CAMA model is updated with the year's ArdhiSasa sales data and the new zone values cascade to all parcels automatically. A physical survey is required only when a parcel characteristic changes (new access road, planning reclassification, registered subdivision). The ArdhiSasa API notifies the KLVS of every parcel change within 24 hours — the valuation roll is always current.
Billing — digital, no cash, no queue	LVT bills generated automatically and delivered by: email to the address on record; USSD to the phone number on record; eCitizen portal. Payment via M-Pesa, Airtel Money, or bank transfer — zero cash at any NLC office. The LVT reference number is the ArdhiSasa parcel ID — every payment auto-reconciled to the correct parcel within 2 hours. A parcel in LVT arrears for more than 3 years is flagged on ArdhiSasa — visible to any prospective buyer before they transact.
Phased rollout — political economy	Phase 1: Nairobi (Year 2). Phase 2: All 47 county headquarters (Year 3 — simultaneous, so no county is singled out). Phase 3: All classified urban land (Year 5). The political economy argument: the LVT revenue — Ksh 8–12B in Nairobi alone at full implementation — funds affordable housing land (ULB 60%) and county roads (40%). The beneficiaries are ordinary Nairobians. The payers are land bankers. This is a politically winnable argument.

SECTION TEN

The Comprehensive Adjudication Programme

10.1 The Backlog and the Plan

The National Land Adjudication Survey has adjudicated approximately 30% of Kenya's land parcels since the 1960s. The remaining 70% — primarily in agricultural and pastoral areas — have no formal title. No mortgage access. No protection against encroachment. No secure inheritance. No cooperative lending eligibility. The Shamba la Taifa doctrine — title first, cooperative facility second — requires the adjudication backlog to be cleared in cooperative zones before Ward Cooperative Facilities are constructed.

Programme Element	Design
The Land Adjudication Officer Corps	2,000 professional LAOs — qualified land surveyors and land lawyers (minimum KNQF Level 6) — deployed systematically to every unadjudicated ward in Kenya on a rolling schedule. Nationally employed, nationally deployed through the Statutory Deployment Formula equivalent for the NLC — remote ASAL postings earn career advancement credit. LAO Academy: 200 graduates per year from Year 1 at the NLC National Survey Training Institute in partnership with the University of Nairobi's Department of Real Estate and Construction Management.
Sequencing — cooperative zones first	Every ward designated to receive a Ward Cooperative Facility receives LAO deployment at least 18 months before cooperative facility construction begins. The NIDCU Delivery Certificate for a Ward Cooperative Facility requires confirmed NLC adjudication status for that ward. The KAERS ward prioritisation list feeds the NLC adjudication schedule — they are the same list.
Community participation in boundary demarcation	No LAO team demarcates a boundary without community participation: 14-day advance notice in the community's primary language; a public adjudication meeting where boundaries are walked by the LAO team and all interested parties together; 30-day objection period; and a final adjudication record. Unresolved disputes go to the Land Adjudication Court (special magistrate, 30-day resolution target). A dispute does not stop adjudication of surrounding parcels — disputed parcels are flagged and surrounded parcels proceed.
Technology — drone and ArdhiSasa integration	LAO teams equipped with drone mapping kits (5cm resolution, 100ha per flight, processed within 48 hours). Provisional adjudication maps published on KLIMS public interface — any household can view their provisional boundary on a smartphone or at an NLC kiosk. Confirmed boundaries uploaded directly to ArdhiSasa, creating the digital title record

Programme Element	Design
	simultaneously with the physical demarcation. Paper title deed issued as the secondary document — the ArdhiSasa record is primary.
20-year target	Year 5: 40% of agricultural land adjudicated (from current 30%). Year 10: 65%. Year 15: 85%. Year 20: 100% of Kenya's land parcels adjudicated, registered, and on ArdhiSasa. Completion of the national adjudication programme is the single most consequential change in Kenya's land governance since independence.

SECTION ELEVEN

Service Metrics and Citizen Perception

11.1 The World Bank Five Dimensions — Kenya's Targets

Dimension	Current Score / 8	Year 10 Target	Year 20 Target
Reliability of Infrastructure (electronic registry, title guarantee)	~3/8	7/8	8/8 (Guaranteed Title Fund fully operational)
Transparency of Information (public access, beneficial ownership, open data)	~1/6	5/6	6/6 (full FAIR data standard)
Geographic Coverage (% formally registered)	~3/8	6/8	8/8 (100% national coverage)
Land Dispute Resolution (specialist court, time standards, legal aid)	~1/8	6/8	8/8 (30-day LVT disputes, 90-day land disputes)
Equal Access to Property Rights (dual title, women's equality, community land)	~1/8	5/8	8/8 (women's title at 50%, all community land registered)

11.2 Kenya-Specific Service Standards — Published Quarterly

Standard	Target Year 5	Target Year 10
Title registration (transfer) completion time	Same day	1 hour (automated electronic processing)
Title search time	30 seconds online	30 seconds online
Official fee for standard residential transfer	Ksh 1,600 total	Ksh 1,600 total (fixed by statute)
Compulsory acquisition compensation payment	90 days (statutory ceiling)	60 days
ArdhiSasa coverage — registered parcels	100% (Phase 1 complete)	100% — including all adjudicated parcels from Years 1–5
LAO adjudication coverage — agricultural land	40% of agricultural land adjudicated	65% of all land parcels adjudicated
Women's share of land title holders	25% (from 1% baseline)	35%
Community land parcels	200	500+

Standard	Target Year 5	Target Year 10
registered		
Beneficial ownership register entries	50% of corporate land holdings declared	95%
LVT compliance rate	80% of billed parcels paying within 60 days	90%

11.3 The Annual Land Governance Survey — Citizen Perception

Service metrics measure what the system does. Citizen perception measures whether people experience it as just, accessible, and honest. The Annual Land Governance Survey is administered by KNBS, independent of the NLC. 10,000 households nationally, stratified by county, urban/rural, gender, and tenure status. Oversample of recently transacting households.

The Survey Design — Anti-Corruption Measurement Embedded

CORE QUESTION (the corruption detector): 'Were you asked to pay anything beyond the official fee for any land service in the past 12 months?' Any county or registry where the 'yes' rate exceeds 15% receives an automatic KIACC investigation referral. The survey is anonymous — the respondent is not identified. The county and registry where the interaction occurred are. KIACC names the county and the registry. KIACC's investigation determines the officer.

PRIMARY GOVERNANCE INDICATOR: '% of citizens who would trust the ArdhiSasa land registry to protect their land rights.' Year 1 baseline estimated: 15–20%. Year 10 target: 65%. Year 20 target: 85%. This indicator sits on the National Governance Dashboard alongside the fiscal balance, the KNAC response time compliance rate, and the maternal mortality rate. Missing it triggers a parliamentary review of the NLC Chair's performance.

ANNUAL INDEPENDENT PERFORMANCE AUDIT: The NLC undergoes an annual independent performance audit by an auditor appointed by the Auditor-General — not the NLC. Full access to all NLC records, systems, and staff. Published within 90 days of the financial year end, before the National Assembly debates the NLC's budget. A poor audit report before a budget debate has consequences.

ARDHI YA TAIFA — Kenya National Land Policy and Governance

Vision. *Kenya National Development Programme. Integrates with: Nyumba ya Taifa, Shamba la Taifa, KRC Land Framework, Jinsia ya Taifa, Haki ya Taifa, Fedha ya Taifa, Teknolojia ya Taifa, Diplomasia ya Taifa.*

Land is the foundation of every other programme document. This vision corrects the financial predation architecture — stamp duty abolished, consent regime abolished for residential transactions, fixed low fee schedule enacted — that has made the corrupt path cheaper than the honest one. ArdhiSasa ya Taifa makes every title

publicly visible in 30 seconds. The combination destroys the information asymmetry and the cost asymmetry that land corruption in Kenya has always depended on.

PROGRAMME INTEGRATION APPENDIX

Ardhi ya Taifa — Land Policy — Cross-Programme Integration, Employment Summary and Legal Register

A. Employment Summary

Institution / Role	Permanent	Entry-Level	Entry Qualification and Pathway
National Land Commission reformed (2,500 staff)	2,500	1,000	Land adjudication officers, GIS technicians, community land registration officers, PILG desk officers, KLVS valuers — KNQF Level 5–6. Entry: BSc Geomatic Engineering, Land Administration, or KNQF Level 5 Surveying diploma.
Land Record Corps (digitisation programme)	500	500	ALL entry-level. 500-person team for ArdhiSasa Phase 1 digitisation. KNQF Level 3–4 data entry and verification. Recruited from Form 4 leavers with mathematics and geography.
Community Land Registration Teams	200	200	ALL entry-level community land registration field officers. KNQF Level 4 Community Land Certificate.
Land Valuation Tribunal staff	150	50	Registrars, valuers, case managers — KNQF Level 6 in surveying or law.

Employment Summary	Figure
Total permanent positions (Year 10 steady state)	~3,350
Entry-level positions (KNQF Level 2–5)	~1,750
Reference — full programme employment register	Programme Integration Index (PII) Section Two

B. Cross-Programme Linkages

Every linkage below names the specific institution, data system, or instrument that creates the interface. Vague references are not listed — only confirmed operational connections.

Links To	Specific Linkage — Institution, Data System, or Instrument at the Interface

Every programme document (PILG Gateway)	The PILG (Programme Infrastructure Land Gateway) desk is the interface between Ardhi ya Taifa and every programme document that requires land. Statutory timelines: 14 days for public land confirmation, 90 days for compulsory acquisition on private or community land, 120 days for KLIC irrigation schemes. No KSBC crew mobilises, no KRC sleeper is laid, no KWCMC drill rig deploys without PILG confirmation.
Jamii na Ustawi	ORC (Occupation Recognition Certificate) is the gateway to: rent-to-own social housing (Stream 1 eligibility), ADBK rural improvement loan (ORC or higher tenure required), cooperative membership (title-first doctrine). The ArdhiSasa ORC system is the social protection system's tenure verification tool.
Uzalishaji wa Nyumba	ArdhiSasa automated valuation replaces the manual valuation fee in NHB mortgage origination — eliminating an informal payment opportunity. LVT frees speculative urban land for ULB acquisition. PILG clearance for all housing land. Rural Permanent Home Standard Certificate conversion from ORC to leasehold is recorded automatically in ArdhiSasa.
Jinsia ya Taifa	Dual-title default: all new instruments of title name all adult household members unless written election otherwise. This is ARC LAN/1 — the most transformative Jinsia intervention. ArdhiSasa voluntary dual-registration is the precursor programme before the constitutional amendment.
Sayansi na Teknolojia	KGMI (KRA Institute 3) uses KNAGS airborne geophysical survey data as its baseline geological dataset. KWHRI aquifer mapping feeds ArdhiSasa (groundwater resource layer on land registry). KECRI environmental monitoring (deforestation, carbon stocks) uses EO-SAT imagery referenced to ArdhiSasa parcel boundaries.
Mfumo wa Katiba	Constitutional Amendment 3 (NLC budget + enforcement). Constitutional Amendment 4 (dual-title Article 40 — REFERENDUM). Land Registration Act Amendment (dual-title statutory default, Title Guarantee Fund). Land Value Tax Act (stamp duty abolished, LVT rate structure). Community Land Act Amendment (county criminal liability). Physical and Land Use Planning Act Amendment (mandatory Spatial Plans).

C. Legal Instruments and Constitutional Protection

Legal Instrument	Year	Pathway
NLC Act Amendment — budget 0.05% protected, direct enforcement standing, Chair 2/3 NA	Year 2	Simple majority (statutory until constitutional)
Land Registration Act Amendment — dual-title default, Title Guarantee Fund	Year 2	Simple majority
Community Land Act Amendment — county criminal liability, NLC	Year 2	Simple majority

enforcement standing		
Physical and Land Use Planning Act Amendment — mandatory Spatial Plans within 18 months	Year 2	Simple majority
Land Value Tax Act — stamp duty abolished, LVT rate structure (0.5%/0.75%/1.0%)	Year 3	Simple majority
Land Valuation Tribunal Act	Year 3	Simple majority
Constitutional Amendment 3 — NLC budget and enforcement (Article 67)	Year 2	Article 368(1) or Article 255 (referendum risk)
Constitutional Amendment 4 — Dual-title (Article 40)	Year 5	Article 255 — NATIONAL REFERENDUM

D. Live Metrics and Accountability

Full cross-reference detail: Programme Integration Index (PII) — Sections 1, 2, and 3.
Live metrics: ArdhiSasa National Land Registry Dashboard. Daily: new titles registered, PILG clearances issued and pending (by institution), ORC-to-leasehold conversions. Monthly: national land audit progress (% of parcels in ArdhiSasa), LVT revenue collection per county, dual-registration voluntary uptake rate. Alert: any PILG request pending beyond statutory timeline triggers automatic NLC DG notification.